

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	CRIMINAL CASE NO. 04-10231-MLW
)	
v.)	
)	
PETER V. MAGGIO, III, <i>ET AL.</i>)	

GOVERNMENT'S SUPPLEMENTAL SENTENCING MEMORANDUM
GOVERNMENT'S SENTENCE RECOMMENDATIONS

The Government submits its sentencing recommendations in this case. For the reasons previously submitted in its Statement of The Offenses, pleadings, through evidence at sentencing hearings and oral presentations at sentencing hearings, and for the further reasons that the guideline calculations determined by this Court have taken into account reduced "loss" calculations for which defendants are individually being held liable as well as their individual roles in the offenses and personal characteristics, together with the fact that the recommendation for each defendant -- albeit for differing reasons -- is at the bottom of the applicable Sentencing Guidelines Range, the Government recommends the following sentences:

PETER MAGGIO -- A sentence of 92 months in prison, followed by 3 years supervised release, an Order to pay \$1,100 Special Assessment, and an Order of Restitution for \$15,731,860, joint and several with co-defendants in this case. The Government recommends that if the Court determines to make any portion of

this sentence concurrent any previous sentence, that the concurrent portion commence with a date no earlier than September 14, 2005, the date the defendant appeared in this case pursuant to a writ.

MICHAEL O'NEILL - A sentence of 37 months in prison followed by 3 years supervised release, an Order to pay \$ 400 Special Assessment, and an Order of Restitution for \$4,606,685, joint and several with co-defendants in this case.

WILLIAM HOWE -- A sentence of 33 months in prison followed by 3 years supervised release, an Order to pay \$ 800 Special Assessment, and an Order of Restitution for \$4,282,200, joint and several with co-defendants in this case.

LOUIS PARADISO -- A sentence of 24 months in prison followed by 3 years supervised release, an Order to pay \$ 500 Special Assessment, and an Order of Restitution for \$1,875,353, joint and several with co-defendants in this case.

SEAN SACCO - A sentence of 15 months in prison followed by 3 years supervised release, an Order to pay \$ 500 Special Assessment, and an Order of Restitution for \$420,878, joint and several with co-defendants in this case.

MATT HAVEY -- A sentence of 15 months in prison followed by 3 years supervised release, an Order to pay \$ 500 Special Assessment, and an Order of Restitution for \$437,104, joint and several with co-defendants in this case

Respectfully submitted this 17th day of November, 2006.

MICHAEL J. SULLIVAN
UNITED STATES ATTORNEY

By: /s/ Victor A. Wild
VICTOR A. WILD
Assistant U.S. Attorney
One Courthouse Way
Boston, MA 02210
(617) 748-3100

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the attorneys listed below a copy of the foregoing document via ECF.

/s/ Victor A. Wild
VICTOR A. WILD
Assistant U.S. Attorney

James M. Merberg, Esq.
66 Long Wharf
Boston, MA 02110
Attorney for Peter V. Maggio

William M. White, Esq.
1 Faneuel Hall, 3rd Floor
Boston, MA 02109
Attorney for Sean Sacco

Joseph S. Oteri, Esq.
20 Park Plaza
Boston, MA 02116
Attorney for Michael R. O'Neill
Scott P. Lopez, Esq.
24 School Street
Boston, MA 02108
Attorney for Louis A. Paradiso

Elliott M. Weinstein, Esq.
228 Lewis Wharf
Boston, MA 02110
Attorney for William A. Howe
Roger Witkin, Esq.
6 Beacon Street
Boston, MA 02108
Attorney for Matt A. Havey